

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### *IMPROVED PLANT TRANSFORMATION*

the specification of which (I authorize Choate, Hall & Stewart to check one of the following three choices, and fill in the blanks, if applicable):

☒ is attached hereto

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and amended on \_\_\_\_\_ (if applicable).

☐ was filed as PCT international application No. \_\_\_\_\_, on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____	_____	_____	Yes	No
(Number)	(Country)	(Day/Month/Year/Filed)		

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in

Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (filing date)	_____ (status-patented, pending, abandoned)
-----------------------------------	------------------------	--

PCT Applications designating the United States:

<u>PCT/US/*</u> (PCT Appl. No.)	<u>NYA</u> (U.S.S.N.)	<u>Pending</u> (status-patented, pending, abandoned)
------------------------------------	--------------------------	---

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>60/455,482</u> (Application Serial No.)	<u>March 18, 2003</u> (filing date)	<u>Pending</u> (status)
---	--	----------------------------

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

\*     NYA (PCT/US\_\_\_\_)  
      Title: Improved Plant Transformation  
      Inventor: Leustek, et al.  
      Express Mail No. EL 993748265 US

**[Signatures on Next Page]**

Full name of first inventor Thomas Leustek

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

\_\_\_\_\_

Full name of first inventor Yuying Luo

Inventor's signature \_\_\_\_\_ Date: \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

\_\_\_\_\_